

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND/ODESSA DIVISION**

**INTELLECTUAL VENTURES I LLC and §  
INTELLECTUAL VENTURES II LLC, §**

**Plaintiffs, §**

**v. §**

**SOUTHWEST AIRLINES CO., §**

**Defendant. §**

**Civil Action No. 7:24-cv-00277-ADA**

**JURY TRIAL DEMANDED**

---

**NOTICE REGARDING DEFENDANT SOUTHWEST AIRLINES CO.’S MOTION TO  
SEVER AND STAY CLAIMS AGAINST IN-FLIGHT CONNECTIVITY SYSTEMS**

---

Defendant Southwest Airlines Co. (“Southwest”) respectfully submits this Notice Regarding Southwest’s Motion to Sever and Stay Claims Against In-Flight Connectivity Systems Based on the Customer-Suit Exception (“Motion to Sever and Stay”) [Dkt#17]. As fully set forth in the Motion to Sever and Stay, Viasat, Inc. and Anuvu Operations LLC have filed declaratory judgment actions in the District of Delaware seeking declarations that their in-flight connectivity systems do not infringe two of Intellectual Ventures’ asserted patents in this action: U.S. Patent Nos. 7,324,469 (the “469 Patent”) and 8,027,326 (the “326 Patent”). *Viasat, Inc. v. Intellectual Ventures*, No. 25-56 (D. Del. Jan. 14, 2025) (the “Viasat Action”); *Anuvu Corp. v. Intellectual Ventures*, No. 25-124 (D. Del. Jan. 30, 2025). On February 12, 2025, Southwest filed its Motion to Sever and Stay, requesting that the Court sever and stay Intellectual Ventures’ claims related to the Viasat and Anuvu systems under the customer-suit exception.

On July 11, 2025, the District of Delaware held a hearing on Intellectual Ventures’ motion to dismiss the Delaware Action, and Viasat’s motion for a preliminary injunction barring

Intellectual Ventures from pursuing Viasat's customers, including Southwest. *See* Viasat Action, Dkt#60. During that hearing, Chief Judge Connolly denied Intellectual Ventures' motion to dismiss the Delaware Action, finding that the issues before the District of Delaware "go[] beyond the in-flight connectivity systems that are at issue in the litigation in Texas," and recognizing there were "great judicial efficiencies with us litigating these, whether or not the Viasat system infringes the two patents in question." Exhibit A at 114:6–8, 115:3–5.

Judge Connolly denied Viasat's motion for a preliminary injunction, stating as follows:

I happen to know Judges Albright and Mazzant. **I think the case should be here, and that's the most judicial efficient way to handle the case. So I've said it on the record, and you all can bring it to their attention in Texas, and I can get on the phone with them.** And I totally respect them, and if they think they want to go forward, and there could be really good reasons to go forward, in part, but on the two patents that have been asserted [the '469 and '326 Patents], I do think it make most sense to litigate them here in Delaware, and I'm prepared to do it. All right? I just don't see, I think there's too much respect among the three judges, and I think we're all going to want to achieve judicial economy. And it strikes me that **as far as at least the two patents that have been asserted here, it makes most sense to proceed here with those.**

*See* Exhibit A at 119:21 to 120:14 (emphasis added). Southwest respectfully requests the Court take notice of Judge Connolly's statements, which bear directly on Southwest's Motion to Sever and Stay. Southwest is available should the Court have any questions.

Date: July 15, 2025

Respectfully submitted,

/s/ S. Wallace Dunwoody

Michael C. Wilson

State Bar No. 21704590

[mwilson@munckwilson.com](mailto:mwilson@munckwilson.com)

S. Wallace Dunwoody

State Bar No. 24040838

[wdunwoody@munckwilson.com](mailto:wdunwoody@munckwilson.com)

**Munck Wilson Mandala, LLP**

2000 McKinney Avenue, Suite 1900

Dallas, TX 75201

(972) 628-3600

(972) 628-3616 fax

David G. Henry

Texas Bar. No. 09479355

[dhenry@munckwilson.com](mailto:dhenry@munckwilson.com)

**Munck Wilson Mandala, LLP**

510 Austin Avenue, Suite 3100

Waco, Texas 76701

(254) 362-2300

(254) 362-2304 fax

Tri T. Truong

Texas State Bar No. 24102969

[ttruong@munckwilson.com](mailto:ttruong@munckwilson.com)

**Munck Wilson Mandala, LLP**

807 Las Cimas Parkway, Suite 300

Austin, Texas 78756

737-201-1600

737-201-1601 fax

*Attorneys for Southwest Airlines Co.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 15, 2025, the foregoing document has been served on all counsel of record via the Court's CM/ECF system.

/s/ S. Wallace Dunwoody  
S. Wallace Dunwoody